PTO/SB/21 (08-00)

## **Application Number TRANSMITTAL** Filing Date **FORM Group Art Unit**

February 11, 1999 Kenichi SHIRAISHI et al. **First Named Inventor Examiner Name** X. Mei (to be used for all correspondence after initial filing) **Attorney Docket Number** 0670-208 Total Number of Pages in This Submission

09/247,826

ENCLOSURES (check all that apply)				
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Rec Information Disclosure Stat Certified Copy of Priority Document(s) Response to Missing Parts Incomplete Application Response to Missing P under 37 CFR 1.52 or	quest dement	Assignment Papers (for an Application)  Drawing(s)  Declaration and Power of Attorney  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Remarks  The Commissioner is fees required or credit any 2280 for the above identification	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosures 1. 2. 3. 4. 5. 6.	
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Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165			
Date	November 14, 2005			
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Attorney Docket No. 0670-208

## NOV 1 6 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	) Group Art Unit: 2644
Kenichi SHIRAISHI et al.	) Examiner: X. Mei
Serial No. 09/247,826	) <u>CERTIFICATE OF MAILING</u> I hereby certify that this correspondence is
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**RESPONSE** 

Honorable Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed August 11, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statement filed on August 13, 2003.

Claims 2 and 3 are pending in the present application, all of which are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action rejects claims 2 and 3 as obvious based on JP 53-002020 to Sato et al. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available